

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3355-01  
Bill No.: HB 1326  
Subject: Ethics: Lobbyist  
Type: Original  
Date: January 31, 2002

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government*</b>	<b>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

**\*Annual income from late fees would not be expected to exceed \$100,000 on a statewide basis.**

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials of the **Office of Secretary of State** assume no fiscal impact.

Officials of the **Office of Attorney General** assume any cost could be absorbed with current level of funding, therefore, there would be no fiscal impact.

Officials of the **Missouri Ethics Commission** assume no fiscal impact.

Officials of the **Office of State Courts Administrator** assume no fiscal impact.

Officials of the **Missouri House of Representatives** assume no fiscal impact.

**Officials responding to identical legislation, (952-01, HB 678), from last session submitted the following:**

Officials of the **Office of Prosecution Services** assume no fiscal impact.

Officials of the **Department of Elementary and Secondary Education** assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005

### **COUNTY SCHOOL FUND**

**Income** to County School Fund  
from late reporting fees \*

Unknown

Unknown

Unknown

**\* Oversight assumes there would be substantial compliance with Section 130.056, filing reports, therefore, the amount of fees collected on a statewide basis would be expected to be less than \$100,000 annually.**

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

This bill makes several changes to the laws governing lobbyists, the Missouri Ethic Commission, and campaign finance disclosure. In its main provisions, the bill:

- (1) Deletes the following from the categories into which lobbyist expenditures must be divided on required monthly reports: printing and publication expenses, media and other advertising expenses, and honoraria;
- (2) Moves from Section 105.475 to Section 105.473, RSMo, the provision that makes lobbyist expenditures to public officials, their staff, or their family not subject to reporting requirements if the expenditure was compensation for or a benefit of employment when that employment is in addition to the public employment;
- (3) Repeals the provision that makes the laws governing lobbyist reports, registration, and disclosure inapplicable to union members not acting as lobbyists for a union;
- (4) Gives the Missouri Ethics Commission, under certain circumstances, the discretion (on the vote of at least four members) to settle a complaint case by imposing a fee of not more than \$1,000. Under current law, the commission is required to hold a hearing;
- (5) Changes the deadline for filing a statement of committee organization from the date for filing the first report required by Section 130.046 to 30 days prior to the election;
- (6) Changes the deadline for a continuing committee to file additional required reports from no later than the seventh to no later than the eighth day before an election;
- (7) Requires a committee's treasurer to file a statement, when no disclosure reports are required, that the committee has not exceeded the thresholds for the reporting period;
- (8) Moves the requirements of what must be contained in an out-of-state committee contribution or expenditure report from Section 130.050 to Section 130.049;
- (9) Moves the provisions regarding nominee compliance and late contributions from Section 130.050 to Sections 130.062 and 130.063 respectively;

DESCRIPTION (continued)

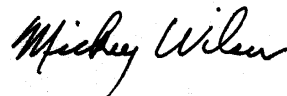
(10) Requires the fees collected for late filing of campaign disclosure reports to be deposited to the credit of the County School Fund pursuant to Section 166.131; and

(11) Changes the culpability standard for the class A misdemeanor of "purposely" violating the campaign finance disclosure laws to "knowingly" violating the laws.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General  
Office of Secretary of State  
Missouri Ethics Commission  
Office of State Courts Administrator  
Missouri House of Representatives  
Office of Prosecution Services  
Department of Elementary and Secondary Education



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Acting Director  
January 31, 2002